

1 A RESOLUTION urging the United States Environmental Protection Agency to
2 prioritize compliance assistance and environmental protection over economically ruinous
3 regulatory enforcement practices.

4 WHEREAS, over the past eight years, the United States Environmental Protection
5 Agency has issued an unprecedented number of environmental rules and regulations
6 impacting the coal mining industry in Kentucky and throughout Appalachia; and

7 WHEREAS, the number of workers employed in Kentucky coal mines has fallen
8 from 17,670 in 2008 to 6,465 in mid-2016, which is the lowest level recorded in
9 Kentucky since 1899; and

10 WHEREAS, coal production in Kentucky has fallen from over 121 million tons per
11 year in 2008 to a little over 21 million tons in the first half of 2016; and

12 WHEREAS, the loss of coal mining and coal-related employment has been
13 devastating to the economy of eastern Kentucky and has deprived many citizens of the
14 region of well-paying jobs that sustained their families and communities for decades; and

15 WHEREAS, the aggressive rulemaking agenda and overzealous enforcement of
16 environmental regulations pursued by the United States Environmental Protection
17 Agency since 2008 have been significant contributing factors in the precipitous decline in
18 coal jobs and production in Kentucky; and

19 WHEREAS, some of the job losses caused by the regulatory burden imposed on the
20 coal mining industry in Kentucky could be avoided and greater environmental protection
21 could be achieved if the United States Environmental Protection Agency would be less
22 adversarial and aggressive in regulating coal mining in the Commonwealth and instead
23 served as a resource for advice and assistance for regulated entities to comply with state
24 and federal environmental requirements;

25 NOW, THEREFORE,

26 *Be it resolved by the House of Representatives of the General Assembly of the*
27 *Commonwealth of Kentucky:*

1 ➔Section 1. The Kentucky House of Representatives urges the United States
2 Environmental Protection Agency to provide regulated entities with advice and
3 compliance assistance for all of the laws and regulations it administers, to allow an
4 opportunity to remedy any perceived violations of the laws or regulations it administers
5 before pursuing any enforcement action, and to decline to enforce violations of laws and
6 regulations that it administers that would also be enforceable as violations of state law.

7 ➔Section 2. The Clerk of the House of Representatives shall send a copy of this
8 Resolution and notification of its adoption to the administrator of the United States
9 Environmental Protection Agency and to each member of Kentucky's delegation to the
10 United States Congress.